

Hazardous Materials Commission

Draft Minutes Operations Committee

October 8, 2021

Members and Alternates

Present: Marielle Boortz, Fred Glueck, Steve Linsley (late), Gabe Quinto, Treston Shull, Tim Bancroft (alternate), Madeline Kronenberg (alternate), Heather Youngs (alternate),

Absent: Sara Gurdian (represented by alternate)

Staff: Michael Kent, Matt Kaufmann, Mike Dossey, Nicole Heath

Members of the Public: Greg Bosworth, Jan Warren

1) Call to order, announcements:

Commissioner Glueck called the meeting to order at 10:02 am.

Michael Kent made the following announcements:

- The ISO/CWS Ad Hoc meeting for the Board of Supervisors will be on October 26, 2021 from 9:30 to 11:30 via Zoom.
- The HMC annual meeting with Supervisor Glover will be on October 11, 2021 at 11:00.
- The next State Refinery Taskforce meeting will be on October 21, 2021 at 1:00 via zoom.

2) Approval of Minutes:

The minutes from the September 10, 2021 and the Special September 15, 2021 meetings were moved by Commissioner Quinto and seconded by Commissioner Boortz and approved by a vote of 5-0-1 with Commissioner Shull abstaining and Commissioner Linsley arriving late.

3) Public Comments: None

4) Old Business: None

5) New Business:

a) Update on the status of the open General Public Seat

Michael Kent informed the committee they had received two applications for the open General Public seat, one of which was from the current alternate, Tim Bancroft. The other applicant was not able to attend this meeting to be interviewed due to a prior engagement. The committee decided they would interview both candidates at the next Operations committee meeting.

b) Discuss and develop recommendations concerning the County's Emergency Notification Policy

Heather Tiernan, Community Warning System manager, began the discussion by explaining that the Community Warning System (CWS) was developed in the late 1990's for industrial releases, and has morphed into an all-hazards system. She explained that the tools of the system consist of:

- Automated phone calls to land lines, with an option for people to sign-up for cell phone calls, texts and emails.
- Information pushed out to various social media sites.
- Information put on their web site.
- A Federal notification tool called the Emergency Alert System.
- Wireless Emergency Alerts.
- Messages sent out via National Weather Radios.

She went on to explain that the network of outside sirens throughout Richmond and around other industrial sites are used to let people know about Level 3 incidents, those that pose an imminent threat to life and health for the general public, and are meant to tell people to Shelter-in-Place. For Level 3 incidents they also send messages out through the system to first responders, and to the general public through the phones, social media and their web site. For Level 2 incidents, which are Public Health Advisories for people with medical vulnerabilities, they only send messages out through the system to first responders, and through social media and their web site to the general public. Level 1 incidents are those that don't pose any off-site consequences and for those they only notify first responders through the system. A number of the large facilities have system terminals that enable them to activate a Level 3 event with a pre-set messages. Then the Hazardous Materials Program or Fire/OES can add or change the message, or the area notified, based on conditions.

Commissioner Quinto asked if City mayors and council people of affected cities get notified of Level 1 incidents. Ms. Tiernan responded that local Police or Emergency dispatch can add people to their distribution list. The Board of Supervisors do get updates. Commissioner Quinto then noted that he does get local messages though Nixle.

Commissioner Bancroft noted that he often gets notices through a system called Pulse Point. He asked if that is connected to the CWS. Ms. Tiernan said that it is not directly connected to the CWS. Matt Kaufmann, Hazardous Materials Program manager, said that the local agency must be a subscriber to the system for residents to see messages, and the messages are only in the system while it is activated.

Commissioner Glueck asked if that when an incident occurs that is not refinery-related, like a car fire, does emergency response dispatch notify the County of this. Ms. Tiernan said they usually only contact the Office of Emergency Services if there is an impact to the general public's health. But they are not required to notify them of the incident as a Level 1 incident through the CWS. And she doesn't think they have a requirement to notify the public.

Commissioner Glueck then asked if the County uses Nixel. Ms. Tiernan said that they don't, they use a vendor called Ad Hoc. Commissioner Glueck then asked how they can notify the public of Level 1 incidents without creating a Chicken Little effect. Mr. Kaufmann said that at the last Board of Supervisors CWS/ISO Ad Hoc meeting, Supervisor Gioia said that he hears from residents that are worried when they see extended flaring events and he thinks it would be good for the County to let residents know that the County is aware of these events, and they are not a health issue. Mr. Kaufmann said that if they do this, they will have to define for which Level 1 incidents they would notify the public. He thought this would be difficult to define. He said it takes his department time to be able to see an incident, and at night it is also difficult to see them. They might get into a situation of having to explain why in certain instances they used or didn't notify the public and it is hard to set the criteria. It won't be black and white, there will be lots of grey areas.

Commissioner Glueck then asked if that type of warning message can be labeled in such a way, such as calling it a courtesy message, so that people know what type of message it is. Also, he thinks it makes a contradictory overall message if the CWS is used to let the public know a Level 1 incident is happening, but that they don't have to take any action, when in the past the system was only used to tell people they had to take action.

Commissioner Quinto said El Cerrito gets lots of minor fires but that he doesn't get Nixel messages for these anymore. Ms. Tiernan said that Nixel messages are local City advisories, and it makes sense for them to come from a local City, and for them to decide when to send them or not. She added that there are very different types of neighborhoods around different facilities, some are industrial and some are residential, so different responses are needed for each.

Commissioner Glueck asked if the County CWS web site lists other local sources of advisories that the public can subscribe to or go to during an event. Ms. Tiernan said they don't have that kind of information on the CWS web site, but it is a good idea. But on local sites they give information about various kinds of advisories in addition to CWS advisories. So she could recommend people go to the National Weather Service for red flag warnings and to PG&Es web site for Public Safety Power Shutoff information as well. Commissioner Glueck thought this might be a good way to release the County of some of the public notification burden.

Commissioner Boortz asked where they are with the issue of which flaring events facilities have to be reported. Mr. Kaufmann said that at the last CWS/ISO Ad Hoc meeting the Supervisors said they wanted the reporting requirements to be more specific and clear, and he amended the proposed language to reflect that all flaring incidents have to be reported. He also said that now future discussions of how to modify the language of the Emergency Notification policy will happen at these CWS/ISO Ad Hoc meetings rather than by him going to talk directly with industry.

Commissioner Kronenberg said she likes the idea of a resource page on the CWS web site with information from all of the cities about how to get local information. Ms. Tiernan cautioned that it will be difficult for her to keep such a list updated and she couldn't promise that Cities would send out information to the public that she sends them.

Commissioner Youngs asked how the CWS addressed issues of language and disability access. Ms. Tiernan said that sight and audio options are good on the web page. But on alerts that go out they are not so good. People can receive alerts sent in Spanish, but not in other languages. They don't have a 24-hour translation service.

Jan Warren said that she has heard Supervisor Gioia talk about community anxiety around refinery emissions. She thinks the refineries should work with the community and provide information via Next Door. She thinks using the CWS more for Level 1 notifications would just raise anxiety. She then asked about the need to do evacuations. She wanted to know who is responsible for implementing these if necessary. Ms. Tiernan said that it is up to the Incident Command to determine if an evacuation would be necessary, but it would be the responsibility of law enforcement to direct the evacuation. Michael Kent added that the CWS' default instruction to the public in the event of a Level 3 incident is to direct them to Shelter-in-Place. The County has studied chemical infiltration rates into homes and what it would take to evacuate a neighborhood during a chemical release and determined that Shelter-in-Place is the best first option. Mr. Kaufmann added that the County has contracted with a company called ZoneHaven to plan for evacuations and set up evacuation zones to strategically evacuate communities. Ms. Tiernan said that the pre-planning is the key benefit of doing this. She said they have been doing a lot of evacuation training recently.

Commissioner Youngs asked if there is quantitative information that the County can get from facilities that they can use to determine if an incident is a Level 1 or a Level 2, or the impact of a Level 1 incident. Mr. Kaufman said it is difficult to quantify the impacts of a Level 1 incident, and the weather affects how a flare would look to the community. He said he felt that City staff know their communities better and would be better able to gauge how the local community would react to a Level 1 event. Commissioner Youngs said that maybe the County could use geographic criteria to notify the public about Level 1 incidents – people closest to the incident could get a message saying the County was aware of the incident and that there are no health effects.

Chairperson Glueck concluded the discussion by expressing his feeling that this is a difficult issue to address and that the discussion showed that the committee agreed with that assessment. He recommended that the committee bring these issues to the full Commission at their October 28th meeting.

c) Develop Committee Priorities for 2022

The committee review priorities they had established at the beginning of the year, and discussed other possible topics to consider.

Commissioner Quinto said he was on the board of MCE and had heard about a project using waste to make hydrogen, and that this could be a good sustainable industry addressing climate change. He also heard that Chevron was working on a project with Republic Industries and Raven to make hydrogen. He said he would like to learn more about those projects.

Commissioner Glueck said that he had heard that marijuana production could create hazardous waste. Matt Kaufmann said that there was legislation to exempt green waste from the hazardous waste rules and that one of his staff, Karine Abramians, is working on this issue.

Commissioner Youngs thought it would be a good idea, now that the alternative management standards are in place for Treated Wood Waste, to see what else could be done to replace it with less toxic alternatives.

Commissioner Bancroft said that the State Fire Marshal is fighting the use of Lithium-ion batteries, and Commissioner Boortz thought that looking into the issues around their use for home storage would be interesting.

Commissioner Shull said that a lot of the pipelines in the County will need to be replaced in the future and this needs attention.

Matt Kauffman said that the CUPA Forum Board would like to pursue legislation to allow for risk-based inspection schedules for facilities generating hazardous waste.

The committee talked over these issues and decided they wanted to start learning more about the Lithium-ion battery issue and alternatives to Treated Wood Waste.

- 6) **Plan Next Agenda:** Conduct interviews for the General Public seat and start learning more about the lithium-ion battery issue and alternatives to Treated Wood Waste
- 7) **Adjournment:** The meeting was adjourned at 12:08 pm.